

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

COURTNEY GREEN,

Plaintiff,

-against-

ABC ENTERTAINMENT LLC,

Defendant.

21-CV-0376 (LTS)

ORDER DIRECTING PAYMENT OF FEES  
OR AMENDED IFP APPLICATION

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff, who resides in Missouri, brings this action *pro se*. To proceed with a civil action in this Court, a plaintiff must either pay \$402.00 in fees – a \$350.00 filing fee plus a \$52.00 administrative fee – or, to request authorization to proceed without prepayment of fees, that is, *in forma pauperis* (“IFP”), submit a signed IFP application. *See* 28 U.S.C. §§ 1914, 1915.

Plaintiff submitted an IFP application, but she does not fully answer the questions pertaining to her financial situation. For example, in response to question 2, Plaintiff indicates that she was last employed on April 17, 2021, and that her gross monthly incomes was in the amount of \$2,000. In response to question 3, Plaintiff checks the boxes indicating that she does not receive income from any of the listed sources, and in response to the question asking her to explain how she pays her expenses, Plaintiff writes, “left over unemployment.” (*Id.* at 1-2.) In question 4, she indicates that she does not have any money in the bank, and in question 5, she indicates that she does not own any property of value. (*Id.* at 2.) In question 6, Plaintiff indicates that she does not have any expenses. (*Id.*)

As noted in a prior order issued by the Court, *see Green v. Fox Corp.*, ECF 1:22-CV-0243, 4, a review of the Public Access to Court Electronic Records (PACER) system reveals that from December 27, 2021, through December 29, 2021, Plaintiff filed four actions in the United

States District Court for the Western District of Missouri. In each of the actions, Plaintiff sought to proceed IFP, and in her IFP applications, Plaintiff indicated that she was employed as a retail merchandiser for two months, earning a gross income of \$1,800 monthly. Plaintiff further indicated that she received \$8,000 in unemployment benefits over the past 12 months, and that those benefits expired on September 13, 2021. On January 10, 2022, the Hon. Fernando S. Gaitan, Jr., of the Western District of Missouri, denied Plaintiff's requests to proceed IFP and granted Plaintiff until March 7, 2022, to pay the filing fees for each of the four actions. *See Green v. Kansas City Public Library*, No. 21-CV-00943 (FJG) (W.D. Mo. Jan. 10, 2022); *Green v. Mid Continent Public Library*, No. 21-CV-00942 (FJG) (W.D. Mo. Jan. 10, 2022); *Green v. Kansas City Public Library*, No. 21-CV-00933 (FJG) (W.D. Mo. Jan. 10, 2022); *Green v. Midwest Genealogy Ctr.*, No. 21-CV-00932 (FJG) (W.D. Mo. Jan. 10, 2022).

The next day, on January 11, 2022, Plaintiff filed this action and two other actions in this court, *see Green*, ECF 1:22-CV-0243, 2; *Green v. Kelly and Ryan Show*, ECF 1:22-CV-0237, 2 (directing Plaintiff to submit the signed signature page of her complaint), and another action in the Western District of Missouri, *see Green v. Schweitzer Brentwood Branch Library*, No. 22-CV-03008 (W.D. Mo. filed Jan. 11, 2022).

Because Plaintiff fails to supply sufficient information explaining her current sources of income and how she pays her expenses, it is unclear whether Plaintiff has sufficient funds to pay the filing fees for this action. The Court is therefore unable to make a ruling on Plaintiff's IFP application.

Accordingly, within thirty days of the date of this order, Plaintiff must either pay the \$402.00 in fees or submit an amended IFP application. If Plaintiff submits the amended IFP application, it should be labeled with docket number 22-CV-0376 (LTS), and address the

deficiencies described above by providing facts to establish that she is unable to pay the filing fees. If the Court grants the amended IFP application, Plaintiff will be permitted to proceed without prepayment of fees. *See* 28 U.S.C. § 1915(a)(1).

No summons shall issue at this time. If Plaintiff complies with this order, the case shall be processed in accordance with the procedures of the Clerk's Office. If Plaintiff fails to comply with this order within the time allowed, the action will be dismissed.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket.

SO ORDERED.

Dated: February 1, 2022  
New York, New York

/s/ Laura Taylor Swain  
LAURA TAYLOR SWAIN  
Chief United States District Judge